

**NEVADA DEPARTMENT OF  
CONSERVATION & NATURAL RESOURCES**

**STATE ENVIRONMENTAL COMMISSION**

**HEARING ARCHIVES FOR**

**REGULATORY PETITIONS**

**COMMISSION PETITION NO. 94009**

**LEGISLATIVE COUNSEL BUREAU (LCB) FILE NO. R-060-94**

**DOCUMENTS INCLUDED IN THIS FILE:**

**YES SECRETARY OF STATE FILING FORM**

**YES DISCLOSURE STATEMENT PURSUANT TO NRS 233B**

**REGULATORY PETITIONS**

**ORIGINAL DRAFTED BY COMMISSION**

**ADOPTED BY COMMISSION**

**YES AS FILED AND CODIFIED BY LCB**

Secretary of State  
Filing Data

For Filing Administrative  
Regulations

For Emergency  
Regulations Only

Effective Date \_\_\_\_\_

Expiration Date \_\_\_\_\_

\_\_\_\_\_  
Governor's Signature

### Nevada State Environmental Commission

Classification [ ] Proposed [ ] Adopted By Agency [XX] Temporary [ ] Emergency [ ]

**Brief description of action:** Petition 94009 (LCB R-060-94) amends the Nevada Administrative Code (NAC) 445.1353, water quality standards for Lake Mead from the western boundary of the Las Vegas Marina Campground to the confluence of Las Vegas Wash. The amendments revise the 4-day average concentration water quality standard for un-ionized ammonia from 0.04 mg/l to 0.05 mg/l.

**Authority citation other than 233B:** NRS 445.201 and 445.244

**Notice date:** April 13, April 14, April 26, May 4 and May 12, 1994

**Hearing date:** May 26, 1994

**Date of Adoption of Agency:** May 26, 1994

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS AS REQUIRED  
BY ADMINISTRATIVE PROCEDURES ACT, NRS 233B.066  
PETITION 94009  
LCB R-060-94**

The following statement is submitted for adopted permanent amendments to Nevada Administrative Code Chapter 445 by the State Environmental Commission (SEC).

**1. A description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.**

Petition 94009 was noticed 5 (five) times: April 13 in the Las Vegas Review, April 14 in the Nevada Appeal, and April 26, May 4 and May 12, 1994 in the Las Vegas Review and Reno Gazette-Journal newspapers. The regulatory hearing was held on May 26, 1994 in Las Vegas, Nevada. At this hearing there was no public comment. Comments and hearing minutes may be secured from the Office of the State Environmental Commission located in Carson City, Nevada at 333 W. Nye Lane, Room 128. No comments were received from the general public regarding this petition.

**2. A description of how comment was solicited from affected businesses, a summary of their response, and a explanation how other interested persons may obtain a copy of the summary.**

Comments were solicited from affected businesses by the notices in the newspapers, as outlined in #1. Supportive comments of the changes proposed by this regulation regarding the revision to the 4-day average water quality standard for un-ionized ammonia were received from the U.S. EPA Nevada Water Quality Standards Watershed Protection Section. Comments and hearing minutes may be secured from the Office of the State Environmental Commission located in Carson City, Nevada at 333 W. Nye Lane, Room 128.

**3. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

The permanent regulations were adopted at the State Environmental Commission hearing on May 26, 1994 without change. The regulation reflect the revised calculation of 4-day average for un-ionized ammonia criteria established by the U.S. Environmental Protection Agency. No amendments were proposed nor made at the hearing.

**4. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately, and each case must include:**

- (a) Both adverse and beneficial effects: and
  - (b) Both immediate and long-term effects.
- a. The proposed revisions could result in a slight beneficial economic effect on the regulated community.
  - b. The proposed revisions would have no immediate effect, but could result in a slight long-term beneficial economic effect on the regulated community.

**5. The estimated cost to the agency for enforcement of the proposed regulation.**

The proposed revisions will not result in any additional cost by the agency for enforcement.

**6. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary.**

There are no other state or government agency regulations which the proposed revisions duplicate.

# CODIFIED PERMANENT REGULATION OF THE NEVADA STATE ENVIRONMENTAL COMMISSION

**LCB File No. R060-94**

**EXPLANATION** - Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

**AUTHORITY:** NRS 445.201 and 445.244

**Section 1.** NAC 445.1353 is hereby amended to read as follows:

445.1353 Control point at the Western Boundary of Las Vegas Marina Campground.

	WATER QUALITY STANDARDS <sup>f</sup>		
PARAMETER	REQUIREMENTS TO MAINTAIN EXISTING HIGHER QUALITY	WATER QUALITY STANDARD FOR BENEFICIAL USES	BENEFICIAL USE
Temperature EC 1 T Single Value <sup>a</sup>	0	2	Warmwater fishery, <sup>b</sup>
pH - Standard Unit			Wildlife propagation, <sup>b</sup> agricultural use,
Single Value	95% of samples not to exceed 8.9	Within Range 7.0 - 9.0	Warmwater fishery, aquatic life, industrial supply.
Dissolved Oxygen-mg/l Single Value in 90% of samples	--	\$5 mg/l	Warmwater fishery, <sup>b</sup> aquatic life, stock watering, noncontact sports & esthetics, wildlife propagation.
Nitrogen Species as N-mg/l Single Value in 90% of samples	Total Inorganic Nitrogen #5.3	Nitrate #90	Warmwater fishery, <sup>b</sup> stock watering, wild- propagation.

Petition 94009 was adopted by the Nevada Environmental Commission on May 26, 1994 as a permanent regulation and it became effective on July 5, 1994 upon filing with the Secretary of State by the Legislative Counsel Bureau (LCB). This is LCB file R-060-94. **Codified 11/21/94.**

Single Value	--	Nitrite #10	Stock watering, <sup>b</sup> wild life propagation. <sup>b</sup>
Un-ionized Ammonia as N -mg/l	--	c	Warmwater fishery, <sup>b</sup> aquatic life <sup>b</sup> .
Total Dissolved Solids - mg/l Single Value	e	#3000	Stock watering, <sup>b</sup> irrigation.
Suspended Solids - mg/l Single Value	--	#25	Warmwater fishery, <sup>b</sup> aquatic life, esthetics.
Turbidity - NTU Single Value	d	#25	Warmwater fishery, <sup>b</sup> aquatic life, esthetics.
Fecal Coliform MF/100 ml Single Value	--	g	Agricultural use, <sup>b</sup> wildlife propagation <sup>b</sup> noncontact sports & esthetics.

<sup>a</sup>Maximum allowable increase in temperature above water temperature at the boundary of an approved mixing zone.

<sup>b</sup>The most significant beneficial uses.

<sup>c</sup>The 4-day average for the concentration of un-ionized ammonia must not exceed **[0.04] 0.05** mg/l more often than once every 3 years. The daily value for this average must consist of the average of the data collected from not less than 3 sites within a cross section of Station 2 that are representative of the top 2.5 meters of the cross section, and must account for diurnal fluctuation. This average is not applicable to the area between Station 2 and the confluence of the Las Vegas Wash. The single value must not exceed 0.45 mg/l more often than once every 3 years. When the temperature exceeds 20EC, these standards must be adjusted pursuant to methods accepted by the United States Environmental Protection Agency. "Station 2" means the center of the channel at which the depth is 10 meters.

<sup>d</sup>Turbidity must not exceed that characteristic of natural conditions by more than 10 Nephelometric Units.

<sup>e</sup>Any increase in Total Dissolved Solids must not result in a violation of the standards specified in "1981 Review--Water Quality Standards for Salinity, Colorado River System," approved by the state environmental commission on June 8, 1982.

<sup>f</sup>The Commission recognizes that because of discharges of tributaries that localized violations of standards may occur in this reach.

<sup>g</sup>Any discharge from a point source into Las Vegas Wash must not exceed a log mean of 200 per 100 ml. based on a minimum of not less than five samples taken over a 30-day period nor may more than 10 percent of the total samples taken during any 30-day period exceed 400 per 100 ml.

The "Guidelines for Formulating Water Quality Standards for the Interstate Waters of the Colorado River System," adopted January 13, 1967, are incorporated as a supplement to the standards for this stream. The guidelines may be obtained from the division of environmental protection at no cost.

## END OF PETITION 94009 (LCB R-060-94)